

Chapter 17.52**C-H ZONE****Sections:**

- 17.52.010 Conditional uses.**
- 17.52.020 Height regulations.**
- 17.52.030 Lot area.**
- 17.52.040 Lot width.**
- 17.52.050 Setbacks.**
- 17.52.060 Zone size minimums.**
- 17.52.070 Off-street parking.**

number of stories may be increased up to four. (Ord. 555 § 6, 1986; Ord. 336 § 6.22.020, 1977).

17.52.030 Lot area.

The minimum area for each lot in the C-H zone shall be twenty thousand square feet. (Ord. 336 § 6.22.030, 1977).

17.52.010 Conditional uses.

The following uses are permitted in the C-H zone subject to the issuance of a conditional use permit:

- A. Hotel;
- B. Motel;
- C. Restaurant-bar combination;
- D. Restaurant;
- E. Retail store incidental to any other use authorized by this section;
- F. Refreshment stand;
- G. Commercial recreation use;
- H. Gasoline station;
- I. Public utility buildings and uses not included equipment or storage yard, warehouse, or shop;
- J. Auto sales and service;
- K. Convenience store;
- L. Commercial cluster complex;
- M. Automobile repair shop (light);
- N. Automobile service station;
- O. Mobile pushcart vending facility. (Ord. 674 § 7, 1993; Ord. 640 § 9, 1991; Ord. 581 § 31, 1988; Ord. 362 (part); Ord. 336 § 6.22.010, 1977).

17.52.020 Height regulations.

Height regulations in the C-H zone:

The maximum height for principal buildings and structures shall be thirty feet, and the maximum number of stories shall be two, with the following exception:

With a use permit the maximum allowable height may be increased up to fifty feet, and the maximum

17.52.040 Lot width.

The minimum lot width in the C-H zone shall be one hundred feet. (Ord. 336 § 6.22.040, 1977).

17.52.050 Setbacks.

No building or structure shall hereafter be erected or enlarged in the C-H zone unless the following setbacks are provided and maintained:

A. Front. There shall be a front setback of not less than ten feet.

B. Rear. There shall be a rear setback of not less than ten feet.

C. Interior Side. There shall be an interior side setback of not less than ten feet.

D. Street Side. There shall be a street side setback of not less than ten feet.

E. Specified Streets. Front, side, street side, or rear setbacks required for lots abutting a highway or street for which rights-of-way are established by the circulation element of the general plan shall be measured from the adopted plan line or the property line, whichever provides the greater setback. (Ord. 336 § 6.22.050, 1977).

17.52.060 Zone size minimums.

No area shall be zoned to the C-H highway commercial zone unless the following minimum area, depth and width requirements of the total zone are provided:

A. Minimum zone area: one acre;

B. Minimum zone depth: two hundred feet;

C. Minimum zone width: two hundred feet. (Ord. 336 § 6.22.060, 1977).

17.52.070 Off-street parking.

Off-street parking shall be provided subject to the regulations in Chapter 17.66. (Ord. 336 § 6.22.070, 1977).

Chapter 17.54**M-1 ZONE****Sections:**

17.54.010 Permitted uses.

17.54.020 Conditional uses.

17.54.030 Height regulations.

17.54.040 Lot area.

17.54.050 Lot coverage.

17.54.060 Lot width.

17.54.070 Setbacks.

17.54.080 Off-street parking.

17.54.010 Permitted uses.

The following are permitted in the M-1 zone provided there is no appreciable offensive or objectionable odor, dust, noise, bright lighting, vibration or other nuisance factor, and further provided that the use is conducted within a building, or, where the activity is outside, it is wholly surrounded by a solid fence of wood, masonry or other material approved by the planning director:

A. Blacksmith shop;

B. Boat building;

C. Bottling plant;

D. Building materials;

E. Cabinet shop;

F. Cold storage;

G. Contractor's yard;

H. Feed and fuel yard;

I. Food processing;

J. Lumber yard;

K. Machine shop;

L. Outdoor storage and sales;

M. Pipe yard;

N. Public utility service yard;

O. Warehousing; mini-storage;

P. Light manufacturing, fabrication, assembly, component manufacturing, small parts processing. (Ord. 362 (part): Ord. 336 § 6.23.000, 1977).

17.54.020 Conditional uses.

The following uses are permitted in the M-1 zone subject to the issuance of a conditional use permit:

- A. Retail sales and personal service establishments appurtenant to permitted uses;
- B. Any use specified in Section 17.52.010 which in the opinion of the planning director does not qualify as a permitted use because of some objectionable odor;
- C. Industrial cluster complex;
- D. Auto body and paint shop;
- E. Automobile repair shop (light);
- F. Automobile repair shop (heavy);
- G. Churches;
- H. Mobile pushcart vending facility. (Ord. 674 § 8, 1993; Ord. 669 § 3, 1992; Ord. 650 § 10, 1991; Ord. 581 § 32, 1988; Ord. 391; Ord. 336 § 6.23.010, 1977).

17.54.030 Height regulations.

Height regulations in the M-1 zone:

The maximum height for principal buildings and structures shall be thirty feet, and the maximum number of stories shall be two, with the following exception:

With a use permit the maximum allowable height may be increased up to fifty feet, and the maximum number of stories may be increased up to four. (Ord. 555 § 7, 1986; Ord. 336 § 6.23.020, 1977).

17.54.040 Lot area.

The minimum area for each lot in the M-1 zone shall be twenty thousand square feet. (Ord. 336 § 6.23.030, 1977).

17.54.050 Lot coverage.

The maximum lot coverage by all structures and buildings in the M-1 zone shall not exceed fifty percent of the lot area. (Ord. 543 § 1, 1986; Ord. 336 § 6.23.040, 1977).

17.54.060 Lot width.

The minimum lot width in the M-1 zone shall be two hundred feet. (Ord. 336 § 6.23.050, 1977).

17.54.070 Setbacks.

No building or structure shall hereafter be erected or enlarged in the M-1 zone unless the following setbacks are provided and maintained:

- A. Front. There shall be a front setback of not less than twenty-five feet.
- B. Rear. There shall be a rear setback of not less than ten feet.
- C. Interior Side. There shall be an interior side setback of not less than ten feet.
- D. Street Side. There shall be a street side setback of not less than ten feet.
- E. Specified Streets. Front, side, street side, or rear setbacks required for lots abutting a highway or street for which rights-of-way are established by the circulation element of the general plan shall be measured from the adopted plan line or the property line, whichever provides the greater setback. (Ord. 336 § 6.23.060, 1977).

17.54.080 Off-street parking.

Off-street parking in the M-1 zone shall be provided subject to the regulations in Chapter 17.66. No parking shall be permitted in the front of any building or structure. (Ord. 336 § 6.23.070, 1977).

Chapter 17.56**M-2 ZONE****Sections:**

- 17.56.010 Permitted uses.**
- 17.56.020 Conditional uses.**
- 17.56.030 Height regulations.**
- 17.56.040 Lot area.**
- 17.56.050 Lot coverage.**
- 17.56.060 Lot width.**
- 17.56.070 Setbacks.**
- 17.56.080 Off-street parking.**
- 17.56.090 Zone size minimums.**

17.56.010 Permitted uses.

The following are permitted in the M-2 zone provided in the opinion of planning department staff, there is no appreciable offensive or objectionable odor, dust, noise, bright lights, vibration, or other nuisance factors:

- A. Industrial uses as authorized and regulated in the M-1 zone;
- B. Wholesale stores and storage;
- C. Service establishments;
- D. Manufacturing and fabrication;
- E. Processing and assembly uses;
- F. Mini-storage. (Ord. 362 (part): Ord. 336 § 6.24.000, 1977).

17.56.020 Conditional uses.

The following uses are permitted in the M-2 zone subject to the issuance of a conditional use permit:

- A. Any use specified in Section 17.54.010 or 17.56.010 which in the opinion of planning department staff does not qualify as a permitted use because of some objectional factor;
- B. Auto dismantling;
- C. Bituminous paving plants;
- D. Batch plants, concrete;
- E. Flammable liquid storage;
- F. Storage of petroleum;
- G. Retail sales and personal service establishments appurtenant to permitted or conditional uses;
- H. Industrial cluster complex;
- I. Auto body and paint shops;
- J. Automobile repair shop (light);
- K. Automobile repair shop (heavy);
- L. Churches;
- M. Mobile pushcart vending facility- (Ord. 674 § 9, 1993; Ord. 669 § 4, 1992; Ord. 650 § 11, 1991; Ord. 581 § 33, 1988; Ord. 391 (part): Ord. 336 § 6.24.010, 1977).

17.56.030 Height regulations.

Height regulations in the M-2 zone:

The maximum height for principal buildings and structures shall be thirty feet, and the maximum number of stories shall be two, with the following exception:

With a use permit the maximum allowable height may be increased up to fifty feet, and the maximum number of stories may be increased up to four. (Ord. 555 § 8, 1986; Ord. 336 § 6.24.020, 1977).

17.56.040 Lot area.

The minimum area for each lot in the M-2 zone shall be one acre. (Ord. 336 § 6.24.030, 1977).

17.56.050 Lot coverage.

The maximum lot coverage by all structures and buildings in the M-2 zone shall not exceed fifty percent of the lot area. (Ord. 543 § 2, 1986; Ord. 336 § 6.24.040, 1977).

17.56.060 Lot width.

The minimum lot width in the M-2 zone shall be two hundred feet. (Ord. 336 § 6.24.050, 1977).

17.56.070 Setbacks.

No building or structure shall hereafter be erected or enlarged in the M-2 zone unless the following setbacks are provided and maintained:

A. Front. There shall be a front setback of not less than twenty-five feet.

B. Rear. There shall be a rear setback of not less than ten feet.

C. Interior Side. There shall be an interior side setback of not less than five feet.

D. Street Side. There shall be a street side setback of not less than ten feet.

E. Specified Streets. Front, side, street side, or rear setbacks required for lots abutting a highway or street for which rights-of-way are established by the circulation element of the general plan shall be measured from the adopted plan line or the property line, whichever provides the greater setback. (Ord. 336 § 6.24.060, 1977).

17.56.080 Off-street parking.

Off-street parking shall be provided in the M-2 zone subject to the regulations in Chapter 17.66. (Ord. 336 § 6.24.070, 1977).

17.56.090 Zone size minimums.

No area shall be zoned to the M-2 heavy industrial zone unless the following minimum area, depth, and width requirements of the zone are provided:

- A. Minimum zone area: one acre;
- B. Minimum width: two hundred feet;
- C. Minimum lot depth: two hundred feet. (Ord. 336 § 6.24.080, 1977).

Chapter 17.58**OA ZONE****Sections:**

- 17.58.010 Conditional uses.**
- 17.58.020 Height regulations.**
- 17.58.030 Lot area.**
- 17.58.040 Lot coverage.**
- 17.58.050 Lot width.**
- 17.58.060 Setbacks.**
- 17.58.070 Off-street parking.**

17.58.010 Conditional uses.

The following uses are permitted in the OA zone subject to the issuance of a conditional use permit:

- A. Parks;
- B. Playgrounds;
- C. Golf courses;
- D. Swimming pools;
- E. Country clubs;
- F. Equestrian facilities;
- G. Museums;
- H. Art galleries;
- I. Public buildings;
- J. Public utility substations;

K. Commercial uses accessory to permitted or conditional uses, such as refreshment stands, restaurants, sports equipment rental and sales, marinas. (Ord. 581 § 34, 1988; Ord. 336 § 6.25.000, 1977).

17.58.020 Height regulations.

The maximum height for buildings and structures in the OA zone shall be thirty-five feet. (Ord. 336 § 6.25.010, 1977).

17.58.030 Lot area.

The minimum area for each lot in the OA zone shall be one net acre. (Ord. 336 § 6.25.020, 1977).

17.58.040 Lot coverage.

The maximum lot coverage by all structures and buildings in the OA zone shall not exceed fifty percent of the lot area. (Ord. 336 § 6.25.030, 1977).

17.58.050 Lot width.

The minimum lot width in the OA zone shall be two hundred feet. (Ord. 336 § 6.25.040, 1977).

17.58.060 Setbacks.

No building or structure shall hereafter be erected or enlarged in the OA zone unless the following setbacks are provided and maintained:

A. Front. There shall be a front setback of not less than twenty feet.

B. Rear. There shall be a rear setback of not less than ten feet.

C. Interior Side. There shall be an interior side setback of not less than ten feet.

D. Street Side. There shall be a street side setback of not less than ten feet.

E. Specified Streets. Front, side, street side, or rear setbacks required for lots abutting a highway or street for which rights-of-way are established by the circulation element of the general plan shall be measured from the adopted plan line or the property line, whichever provides the greater setback. (Ord. 336 § 6.25.050, 1977).

17.58.070 Off-street parking.

Off-street parking in the OA zone shall be provided subject to the regulations in Chapter 17.66. (Ord. 336 § 6.25.060, 1977).

Chapter 17.60**PD ZONE****Sections:**

- 17.60.010 Purpose and intent.**
- 17.60.020 Size.**
- 17.60.030 Planned development—**
Required plans and materials.
- 17.60.040 Establishment of a PD zone.**
- 17.60.050 Content of PD zoning approval.**
- 17.60.060 Zoning map designation.**
- 17.60.070 Development in the PD zone.**
- 17.60.080 Preexisting PD zones.**

17.60.010 Purpose and intent.

A. The planned development (PD) zone provides the means for greater creativity and flexibility in environmental design than is provided under the strict application of the zoning and subdivision ordinances, while at the same time protecting the public health, safety and welfare and property values. Various land uses may be combined in a planned development zone including combinations of residential, commercial, industrial, utility, institutional, educational, cultural, recreational and other uses, provided the combination of uses results in a balanced and stable environment.

B. The specific purposes of the planned development zone are to:

1. Promote and encourage cluster development on large sites to avoid sensitive areas of property;
2. Encourage creative and innovative design on large sites by allowing flexibility in property development standards;
3. Encourage the preservation of open space;
4. Accommodate various types of large scale, complex and phased developments;
5. Establish a procedure for the development of large tracts of land in order to reduce or eliminate the rigidity, delays, and conflicts that otherwise would result from application of zoning standards designed primarily for small lots. (Ord. 832 § 1 (part), 2000).

17.60.020 Size.

PD zone, or a unit thereof, shall be of sufficient size that its construction, marketing and operation is feasible as a complete unit independent of any subsequent unit. (Ord. 832 § 1 (part), 2000).

17.60.030 Planned development—Required plans and materials.

A. An application for a PD zone shall be submitted in the form of a general development plan and shall contain the following:

1. A statement of the purpose of the PD zone;
2. A map showing the proposed PD zone boundaries and existing and proposed uses on all adjoining properties to the PD zone;

3. A map showing the proposed pattern of land uses, including acreage for each category of land use, residential density, and land use intensity for non-residential uses;

4. A list of proposed land uses, including permitted uses and conditionally permitted uses;

5. Development standards for all development within the PD zone, including minimum lot dimensions, setbacks, building height, lot coverage and parking;

6. Description of the differences between the development standards applicable to the proposed uses under this title (zoning ordinance) and the proposed plan;

7. Proposed circulation system showing the location of arterial and collector streets and interconnections with adjoining streets;

8. Public uses including schools, parks, recreational areas and other open space areas;

9. Preliminary grading plan (if required by the city engineer);

10. Phasing of development;

11. Other information as may be prescribed by the planning director. (Ord. 832 § 1 (part), 2000).

17.60.040 Establishment of a PD zone.

A. After review by the planning director, the proposed general development plan shall be submitted to the planning commission as a proposed rezoning of the property to the PD zone. The commission shall act thereon as in any rezoning, and shall have full authority to recommend altering or modifying the proposed general development plan.

B. The proposed general development plan shall be considered by the council as in other rezoning matters. The council may alter or modify the proposed general development plan. If the rezoning is approved, the general development plan shall constitute the development restrictions for the PD zone covered by the plan. Any provision contained in any section of this title not addressed by the general development plan shall apply within the PD zone. (Ord. 881 § 33, 2004; Ord. 832 § 1 (part), 2000).

17.60.050 Content of PD zoning approval.

PD zoning approvals shall include maps and text containing the information outlined in Section 17.60.030. (Ord. 832 § 1 (part), 2000).

17.60.060 Zoning map designation.

A PD zone shall be noted by the designation "PD," followed by the ordinance number approving the PD on the zoning map. (Ord. 832 § 1 (part), 2000).

17.60.070 Development in the PD zone.

Upon the establishment of a PD zone, development within the zone may commence provided all other applicable regulations, including design review under Rocklin Municipal Code Chapter 17.72, have been satisfied. (Ord. 832 § 1 (part), 2000).

17.60.080 Preexisting PD zones.

All development within PD zones or under general development plans which were adopted prior to the effective date of Ordinance No. 832 shall require design review pursuant to Chapter 17.72 instead of approval of a specific plan use permit. (Ord. 832 § 1 (part), 2000).

Chapter 17.61

H-D ZONE

Sections:

- 17.61.010 Purpose and intent.**
- 17.61.020 Applicability.**
- 17.61.030 Boundaries.**
- 17.61.040 Historic committee established.**
- 17.61.050 Interim committee designated.**
- 17.61.060 Committee membership.**
- 17.61.070 Terms of committee members.**
- 17.61.080 Secretary of the committee.**
- 17.61.090 Committee powers and duties.**
- 17.61.100 Building permit application.**
- 17.61.110 Application—Information
required.**
- 17.61.120 Application—Referral.**

- 17.61.130 Application—Committee decision.
- 17.61.140 Application—Time limitation on decision.
- 17.61.150 Issuance of permit.
- 17.61.160 Applications not subject to chapter.
- 17.61.170 Uses permitted with a use permit.
- 17.61.180 Lot size, width, and setback requirements.
- 17.61.190 Review of uses by the Front Street historic committee.
- 17.61.200 Height regulation.
- 17.61.210 Lot area.
- 17.61.220 Lot width.
- 17.61.230 Setbacks.
- 17.61.240 Off-street parking.
- 17.61.250 Appeals.
- 17.61.260 Existing uses.

17.61.010 Purpose and intent.

The H-D zone is established and is intended to enhance the value and distinctive character of the city of Rocklin's historic Front Street area that exists along First Street, between Rocklin Road and Farron Street. The area to which the H-D zone shall apply shall be known as the "Front Street historic district."

The development of land within the Front Street historic district should be controlled so as to create an exciting and visible community, capitalizing on the area's proud heritage. To achieve this purpose, it is necessary to impose reasonable restrictions upon the use and erection of new buildings and structures and the alteration of existing and relocated buildings and structures. The revitalization of the Front Street historic district is in keeping with the objectives and proposals of the general plan for the city. (Ord. 480 § 1 (part), 1982; Ord. 336 § 14.01.000, 1977).

17.61.020 Applicability.

The regulations as defined in this chapter shall apply in the Front Street historic district of the city. (Ord. 480 § 1 (part), 1982; Ord. 336 § 14.02.000, 1977).

17.61.030 Boundaries.

The Front Street historic district boundaries are as designated on certain City Zoning Maps No. 11-7-19N and No. 11-7-191S. (Ord. 480 § 1 (part), 1982; Ord. 336 § 14.02.010, 1977).

17.61.040 Historic committee established.

The Front Street historic committee is established to consider any plans for construction in the H-D district, and to advise on all matters related thereto. (Ord. 480 § 1 (part), 1982; Ord. 336 § 14.03.000, 1977).

17.61.050 Interim committee designated.

The planning commission shall act as the Front Street historic committee and exercise all of its functions, until the members of the Front Street historic committee are appointed. (Ord. 480 § 1 (part), 1982; Ord. 336 § 14.03.010, 1977).

17.61.060 Committee membership.

The Front Street historic committee shall be constituted as follows:

- A. Mayor, or his designate;
- B. One planning commissioner;
- C. One member-at-large;
- D. One landowner, living in the district;
- E. One business-lessee in the district. (Ord. 480 § 1 (part), 1982; Ord. 336 § 14.03.020, 1977).

17.61.070 Terms of committee members.

The members of the committee, other than the mayor and the planning commission member, shall serve terms of four years and until their successors are appointed.

Those committee members whose term would have expired on December 31, 1994, shall continue in office until December 31, 1996, and until their successors are appointed. Those members whose term would have expired on December 31, 1995, shall continue in office until December 31, 1998, and until their successors are appointed. (Ord. 708 § 5, 1994; Ord. 480 § 1 (part), 1982; Ord. 336 § 14.08.030, 1977).

17.61.080 Secretary of the committee.

The planning director or his designated representative shall serve as secretary of the committee, as an ex officio member. The secretary shall not be entitled to vote. (Ord. 480 § 1 (part), 1982; Ord. 366 § 14.03.040, 1977).

17.61.090 Committee powers and duties.

A. It is the duty of the committee to administer and ensure compliance with the regulations and procedures contained within this chapter, in the manner prescribed herein. It is its responsibility to recommend to the planning commission any changes to regulations applicable to the district, provided such changes are necessary for the proper execution of the adopted plan, and to adopt rules of procedure to supplement those contained within this chapter.

B. The committee shall adopt, subject to the review and approval of the city council, architectural criteria and standards to be used in evaluating the appropriateness of any development for which a permit is applied under the provisions of this chapter.

C. The architectural criteria and standards shall insure that all applications for approval of exterior work are treated uniformly and fairly and promote consistency. Architectural criteria and standards shall be used to assure:

1. That rehabilitation work shall not destroy the distinguishing qualities or character of the structure and its environment. The removal or alteration of any historic material or architectural features should be held to a minimum;

2. That deteriorated architectural features are repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the material being replaced in the composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of original features, substantiated by physical or pictorial evidence rather than on conjectural designs or the availability of different architectural features from other buildings;

3. That distinctive, stylistic features or examples of skilled craftsmanship which characterize historic

structures and often predate the mass production of building materials be treated with sensitivity;

4. That changes which may have taken place in the course of time and which have acquired significance in their own right be recognized and respected;

5. That all structures be recognized as products of their own time. Alterations to create an earlier appearance shall be discouraged;

6. That contemporary design for additions to existing structures or landscaping shall not be discouraged if such design is compatible with the size, scale, color, material, and character of the neighborhood, structures, or its environment;

7. That wherever possible, new additions or alterations to structures be done in such a manner that if they were to be removed in the future, the essential form and integrity of the original structure would be unimpaired;

8. That new construction not necessarily mimic historic structures, but assure that new construction be compatible with traditional buildings within the historic area;

9. That alterations or new construction of storefronts, windows, doors, cornices, roofs, masonry materials, colors, and signs be compatible with a uniform design and construction theme established for the Front Street historic district by the city.

D. The committee may approve, modify, or disapprove any application for a building permit for which review by the committee is required under Chapter 17.72, based upon compliance or noncompliance with the adopted regulations and approved architectural criteria and standards.

E. It shall not be the responsibility of the committee to prepare or adopt precise area or community plans. (Ord. 480 § 1 (part), 1982; Ord. 336 § 14.03.050, 1977).

17.61.100 Building permit application.

Any application for a building permit for the erection of any new building or structure, or for exterior work involving remodeling, repair, alteration, addition to, or demolition of any existing building or structure, where such work is subject to public view from streets or alleys, within the Front Street historic district, or for the relocation of any building or structure into the district, shall be subject to the review of the committee and/or the planning director as provided under this chapter. (Ord. 480 § 1 (part), 1982; Ord. 336 § 14.04.000, 1977).

17.61.110 Application—Information required.

The application for the building permit shall include the following, in addition to all other information required for building permit applications under any other regulation or ordinance of the city:

A. The purpose for which the proposed building, structure, or improvement is intended to be used;

B. Adequate plans and specifications indicating dwelling unit density, lot area, lot coverage and off-street parking;

C. Adequate plans and specifications for the building and improvements showing the exterior appearance, color, and texture of materials and architectural design of the exterior;

D. Adequate plans and specifications for any outbuildings, party walls, courtyards, fences, setbacks, landscaping, signs, lighting, traffic safety, or other dependency thereof;

E. A Preliminary Grading Plan. When the grading plan is revised after the building permit application and preliminary grading plan have been considered and approved by the committee, the revised plan shall be filed with the direc-

tor and shall be subject to the same decision making process and findings requirements as the original application, except that the subsequent review shall be limited to the revised grading plan and the effects of the revisions on the originally approved project;

F. Any other information deemed necessary by the committee, the planning director, or the building inspector to judge compliance with the regulations contained herein and other applicable laws and regulations. (Ord. 633 § 4, 1990; Ord. 480 § 1 (part), 1982; Ord. 366 § 14.04.010, 1977).

17.61.120 Application—Referral.

A. The building inspector shall refer all applications submitted under the provisions of Section 17.61.100 to the planning director.

B. The planning director may approve signs, reroofing, and any addition to or alteration of any structure which the director determines to be minor in scope, providing the director can conclude that the application conforms to the regulations contained herein and the approved architectural standards and criteria. The planning director may refer these types of items to the committee for its action. All other applications shall be referred to the committee. (Ord. 480 § 1 (part), 1982; Ord. 366 § 14.04.020, 1977).

17.61.130 Application—Committee decision.

The committee may approve, modify or disapprove any application for a building permit referred to it by the planning director. Approval or disapproval shall be by a majority vote of all the members of the committee at any meeting where the vote is taken, and shall include a statement that the committee finds that the building, structure, or improvement for which the permit was applied does or does not conform to the regulations contained herein and the approved architectural standards and criteria. (Ord. 480 § 1 (part), 1982; Ord. 366 § 14.04.030, 1977).

17.61.140 Application—Time limitation on decision.

Within forty-five days after the submission of a complete application to the building inspector as required in this chapter, the committee or planning director shall send their decision in writing to the building inspector with the application and documents, except when the applicant requests or agrees to an extension of time. (Ord. 480 § 1 (part), 1982: Ord. 366 § 14.04.040, 1977).

17.61.150 Issuance of permit.

If the committee or planning director approves the application, and the building

inspector finds that the application conforms to all other regulations and ordinances of the city, the building inspector shall then issue the permit for the work. (Ord. 480 § 1 (part), 1982: Ord. 366 § 14.04.050, 1977).

17.61.160 Applications not subject to chapter.

All other applications for building permits under the building code and not subject to this chapter shall be processed in the normal manner, without referral to or approval by the committee or the planning director, unless this would be done in the normal processing of the permit. (Ord. 480 § 1 (part), 1982: Ord. 366 § 14.04.050, 1977).

17.61.170 Uses permitted with a use permit.

The following uses are permitted in the H-D zone subject to the issuance of a conditional use permit:

1. All uses permitted in the C-1 zone;
2. Tourist shops, including the sale of souvenirs, sporting goods, and sportswear;
3. Antique shops;
4. Hotels, motels, lodges and associated uses;
5. Furniture and appliance stores;
6. General merchandise stores or department stores;
7. Theaters;
8. Convenience stores;
9. Retail plant nursery;
10. Churches;
11. Dry-cleaning establishments;
12. Shopping centers and commercial cluster complexes;
13. Public and private parking lots;
14. Residential dwellings including apartments and condominiums;
15. Outside storage or sales;
16. Outside businesses (i.e., cafes, food marts, gift shops, etc.);
17. Commercial recreational uses;
18. Any other use which the planning commission may find to be similar in character to the

uses listed in this section. (Ord. 581 § 36, 1988; Ord. 480 § 1 (part), 1982: Ord. 366 § 14.05.010, 1977).

17.61.180 Lot size, width, and setback requirements.

The approval of a conditional use permit by the commission for any use in the H-D zone shall be conditioned on and shall specify lot size, lot width, and setback requirements for the project, which requirements shall be based on a recommendation from the committee. (Ord. 480 § 1 (part), 1982: Ord. 366 § 14.04.050, 1977).

17.61.190 Review of uses by the Front Street historic committee.

Any application for a conditional use permit, variance, or zone change shall be referred to the Front Street historic committee prior to the application being considered by the planning commission. The committee shall make a written recommendation to the commission on the application within thirty days. The recommendation shall include a specific recommendation on the lot size, lot width, and setback requirements for the project. (Ord. 480 § 1 (part), 1982: Ord. 366 § 14.04.030, 1977).

17.61.200 Height regulation.

A. The maximum height for buildings and structures shall be thirty feet.

B. The maximum number of stories on any building or structure shall be two. (Ord. 480 § 1 (part), 1982: Ord. 366 § 14.06.000, 1977).

17.61.210 Lot area.

The lot area shall be established by conditions on the conditional use permit by the planning commission, with a recommendation by the committee. (Ord. 480 § 1 (part), 1982: Ord. 366 § 14.06.010, 1977).

17.61.220 Lot width.

The lot width shall be established by conditions on the conditional use permit by the

planning commission, with a recommendation by the committee. (Ord. 480 § 1 (part), 1982: Ord. 366 § 14.06.020, 1977).

17.61.230 Setbacks.

The setbacks shall be established by conditions on the conditional use permit by the planning commission, with a recommendation by the committee. (Ord. 480 § 1 (part), 1982: Ord. 366 § 14.06.030, 1977).

17.61.240 Off-street parking.

A. Residential uses as set forth in Sections 17.66.020, 17.66.100 and 17.66.130 shall provide on-site parking space as required by Chapter 17.66.

B. All other uses shall provide one on-site parking space for each two hundred fifty square feet of gross floor area.

C. In lieu of the requirements of subsection B of this section, a fee, as set by resolution of the council, based on the number of square feet of gross floor area may be paid to the city parking lot fund to establish off-street parking for the Front Street historic district. All such city parking lots funded by the fees received pursuant to this section shall be located within or immediately adjacent to the Front Street historic district. (Ord. 480 § 1 (part), 1982: Ord. 366 § 14.06.040, 1977).

17.61.250 Appeals.

Any interested person may appeal the decision of the Front Street historic committee to the planning commission and the city council in the manner prescribed in Chapter 17.86. (Ord. 480 § 1 (part), 1982: Ord. 366 § 14.07.000, 1977).

17.61.260 Existing uses.

Any use existing on the effective date of this title, which is listed as a conditional use in the H-D zone, shall not be deemed nonconforming because a conditional use permit has not been obtained as provided for in this title. (Ord. 480 § 1 (part), 1982: Ord. 366 § 14.08.000, 1977).

Chapter 17.62**NONCONFORMING USES
AND STRUCTURES****Sections:**

- 17.62.010 Intent.
- 17.62.020 Old nonconforming remain so.
- 17.62.030 Conditional uses without permit.
- 17.62.040 Conditional use permit issuance.
- 17.62.050 Off-street parking deficiency.
- 17.62.060 Setback insufficiency.
- 17.62.070 Nonconforming use—No structure.
- 17.62.080 Nonconforming use—Conforming structure.
- 17.62.090 Conforming use—Nonconforming building—Repair and maintenance.

- 17.62.100 Conforming use—Nonconforming building—Enlargements.
- 17.62.110 Conforming use—Nonconforming building—Relocation.
- 17.62.120 Conforming use—Nonconforming building—Restoration.
- 17.62.130 Nonconforming use and building—Termination of use.
- 17.62.140 Nonconforming use and building—Additions, enlargements, repairs.
- 17.62.150 Existing second unit.

17.62.010 Intent.

Within the zones established by this title or by amendments which may later be adopted, there exist lots, structures, and uses of land or any combination thereof which were lawful before the ordinance codified in this title was adopted or amended, but which would be prohibited, regulated or restricted under the terms of this title. The council declares that nonconforming uses and structures are incompatible with permitted uses and structures in the zones involved and shall not be enlarged, expanded, or extended. Further, nonconforming uses and structures are intended to be eliminated as soon as practical. (Ord. 336 § 8.01.000, 1977).

17.62.020 Old nonconforming remain so.

The passage and adoption of the ordinance codified in this title shall not be construed to make conforming a use of land, building, or structure which was nonconforming as determined by the regulations of any prior zoning ordinance of the city. (Ord. 336 § 8.01.010, 1977).

17.62.030 Conditional uses without permit.

Any use existing on the effective date of the ordinance codified in this title, which is listed as a conditional use in the zone wherein located, and for which a conditional use permit has not been granted, shall be and remain a nonconforming use until a conditional use permit is obtained as provided in Chapter 17.70. (Ord. 336 § 8.01.020, 1977).

17.62.040 Conditional use permit issuance.

The council may, after a hearing before the planning commission on the subject, cause a nonconforming use to become a conforming use upon the issuance of a conditional use permit generally as provided in Chapter 17.70. The council shall require such conditions as to make the use as nearly conforming to the zone as possible. In addition thereto, the council shall make a finding in writing that the nonconforming use as conditioned will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or of the general welfare of the city. In no instance can the council grant such a use permit unless the use is in conformity with the general plan. (Ord. 336 § 8.01.030, 1977).

17.62.050 Off-street parking deficiency.

If the automobile parking space maintained on a lot in connection with a building or other structure at the time the ordinance codified in this title was adopted was insufficient to meet the requirements of this title, or where no parking space has been provided, the building or structure shall not be altered or enlarged to create additional dwelling use, seating capacity, floor area or guestrooms, as the case may be, unless additional automobile parking space is supplied and maintained to meet the requirements of this title for such additional dwelling units, seating capacity, floor area or guestrooms. (Ord. 336 § 8.01.040, 1977).

17.62.060 Setback insufficiency.

In any residential zone, an existing structure used for residential purposes (and any accessory building) shall not be deemed nonconforming solely on the basis that one or more setbacks is insufficient; provided, however, that the insufficiency of any one setback does not exceed twenty-five percent of the setback as required by this title. (Ord. 369: Ord. 336 § 8.01.050, 1977).

17.62.070 Nonconforming use—No structure.

The nonconforming use of land where there are not structures may be continued, provided, however:

A. Such use shall not be expanded or extended in any way either on the same or adjoining land;

B. Such use shall not be changed, except to a use which conforms to the regulations of the zone in which such land is located;

C. If such use is discontinued for a period of ninety days or more, whether or not there was the intent to abandon such use [, it may not be continued]. (Ord. 336 § 8.02.000, 1977).

17.62.080 Nonconforming use—Conforming structure.

The nonconforming use of land, where the structures are conforming, may be continued until:

A. The use is declared a nuisance by the council or a court of competent jurisdiction; or

B. The use is abandoned for ninety days, whether or not there was the intent to abandon such use. (Ord. 347 (part): Ord. 336 § 8.03.000, 1977).

17.62.090 Conforming use—Nonconforming building—Repair and maintenance.

A nonconforming building or structure, where the use of land is conforming, may be maintained or repaired; provided, that for any period of twelve consecutive months such repair and maintenance shall not exceed twenty-five percent of the current replacement costs of the nonconforming building or structure. (Ord. 336 § 8.04.000, 1977).

17.62.100 Conforming use—Nonconforming building—Enlargements.

A building or structure which is nonconforming because of its location on the lot shall not be added to or enlarged unless such nonconforming building or structure and the addition and enlargements thereto are all made to conform to

the regulations of the zone in which it is located. (Ord. 336 § 8.04.010, 1977).

17.62.110 Conforming use—Nonconforming building—Relocation.

A nonconforming building or structure shall not be moved to any other lot or to any other portion of the lot in which it is presently located unless, as a result of the move, the building or structure conforms to the regulations of the zone in which it will be located after the move. (Ord. 336 § 8.04.020, 1977).

17.62.120 Conforming use—Nonconforming building—Restoration.

A nonconforming building or structure which is damaged or partially destroyed by any reason to the extent of not more than fifty percent of its value at that time, may be restored and the occupancy or use of such building, structure or part thereof which existed at the time of such partial destruction, may be continued or resumed; provided, that the total cost of such restoration does not exceed fifty percent of the value of the building or structure at the time of such damage and that such restoration is started within a period of one year and is diligently prosecuted to completion. In the event such damage or destruction exceeds fifty percent of the value of such nonconforming building or structure, no repairs or construction shall be made unless every portion of such building or structure is made to conform to all regulations for new buildings in the zone in which it is located. The value shall be determined by the building inspector in accordance with the provisions of the Uniform Building Code. (Ord. 336 § 8.04.030, 1977).

17.62.130 Nonconforming use and building—Termination of use.

A nonconforming use of land, with nonconforming buildings, shall terminate as follows:

A. When declared a public nuisance by the council or a court of competent jurisdiction; or

B. When abandoned for a period of ninety days, whether or not there was the intent to abandon such use. (Ord. 347 (part); Ord. 336 § 8.05.000, 1977).

17.62.140 Nonconforming use and building—Additions, enlargements, repairs.

Except where ordered by the building inspector to protect the health and safety of the occupant, there shall be no addition, alteration, or repair of any building or structure where the use of land and the structure are both nonconforming. (Ord. 336 § 8.05.010, 1977).

17.62.150 Existing second unit.

Grandfathering Clause. All units within the definition of "secondary residential unit" in Section 17.04.515 existing on the effective date of this section shall be deemed legal uses for purposes of Title 17 of this code. (Ord. 514 § 17, 1984).

Chapter 17.63

SPECIAL EVENTS

Sections:

- 17.63.010 Special event—Exemptions.**
- 17.63.020 Special event—Administrative review.**
- 17.63.030 Special event—City council review.**
- 17.63.040 Permit required.**
- 17.63.050 Application.**
- 17.63.060 Classification of special event use.**
- 17.63.070 Decisions.**
- 17.63.080 Findings.**
- 17.63.090 Conditions.**
- 17.63.100 Revocation and modification.**
- 17.63.110 Permit denial—Appeal procedure.**

17.63.010 Special event—Exemptions.

The following special events are exempt from the regulations and requirements of this chapter:

- A. Garage sales;
- B. Wedding receptions;
- C. Car washes;

D. Other special events determined by the planning director to have no impacts in surrounding properties. (Ord. 688 § 3 (part), 1993).

17.63.020 Special event—Administrative review.

A. "Special event—administrative review" means a special event whose impacts on surrounding properties and rights-of-way are minimal, as determined by the planning director under Section 17.63.060.

B. Examples of special event—administrative review uses include the following:

- 1. Christmas tree sales;
- 2. Pumpkin sales;
- 3. Arts or crafts exhibitions;
- 4. Private sidewalk/parking lot sales. (Ord. 688 § 3 (part), 1993).

17.63.030 Special event—City council review.

A. "Special event—city council review" means a special event whose impacts on surrounding properties and rights-of-way may be substantial, as determined by the planning director under Section 17.63.060.

B. Examples of special event—city council review uses include the following:

- 1. Flea markets;
- 2. Athletic events;
- 3. Rodeos;
- 4. Carnivals;
- 5. Festivals;
- 6. Outdoor dances;
- 7. Fairs;
- 8. Circuses. (Ord. 688 § 3 (part), 1993).

17.63.040 Permit required.

A special event, as regulated by this chapter, may be allowed in any zone upon first obtaining a special event permit in accordance with the provisions of this chapter. (Ord. 688 § 3 (part), 1993).

17.63.050 Application.

The planning director shall prescribe the forms and documents to be filed for a special event permit. The forms and documents shall be filed with the planning

director and accompanied, as required, by the following:

A. A description of the site which may include a map drawn to scale showing lot lines and dimensions, ingress and egress points, improved areas, grading plans, parking, traffic control locations and a description, including location, of all signs;

B. A fee as specified in the current city council fee resolution;

C. Written authorization of the subject property owner or his/her designated representative agreeing to the special event;

D. The names and mailing addresses of the property owners as shown on the last county equalized assessment roll for properties within three hundred feet of the special event site;

E. A written explanation of the nature and duration of the special event;

F. Such additional information as the planning director may require. (Ord. 688 § 3 (part), 1993).

17.63.060 Classification of special event use.

A. Upon receipt of a completed application for a special event permit, the planning director shall determine if the proposed use requires "administrative review" or "city council review." The following criteria shall be considered by the planning director for such a determination:

1. Parking (e.g., adequacy of number, location, circulation design, safety, etc.);

2. Frequency (e.g., possible conflicts with other activities within the community);

3. Nuisance issues (e.g., dust, noise, odor, etc.);

4. Circulation (e.g., assurance of pedestrian and vehicular circulation safety);

5. Public safety (e.g., assurance of providing and maintaining open fire lanes, providing on-site security personnel and on-site emergency care service);

6. Lighting (e.g., assurance of adequate on-site lighting and limiting off-site light and glare);

7. Attendance (e.g., number of attendees will affect public safety requirements, adequate number of restroom facilities, as well as many of the other listed criteria);

8. Clean-up (e.g., assure removal of temporary structures, equipment, debris, etc.);

9. Duration (e.g., assure appropriate hours of operation and length of the event);

10. Location (e.g., assure compatibility with surrounding land uses and adequacy of pedestrian and vehicular access);

11. Signage (e.g., assure size and location that does not obstruct required visibility at driveway locations);

12. Public notice (e.g., assure standard public noticing of the event where wider impacts to the community may be involved);

13. Other (e.g., criteria that may be unique to the proposed special event).

B. The director shall notify the applicant of his/her determination within five working days of receiving a completed application. (Ord. 688 § 3 (part), 1993).

17.63.070 Decisions.

A. Upon determination that the application will be processed as administrative review, the planning director shall review the application for its compliance with Section 17.63.060. The planning director shall have the authority to, and shall take action to grant, grant with conditions, or deny the application based on the information contained in the application and any information obtained from the staff review of the project. The planning director shall render his/her decision in writing, setting forth the findings of fact supporting the decision, and shall serve the applicant with the written decision within ten days of the planning director's determination. The decision is subject to a ten-day appeal period, and shall not become final until such time has expired.

The planning director may act on the application without initial prior notice to adjoining owners of property affected by the special event permit and without a hearing. If the planning director grants or conditionally grants the special event permit, he/she shall give notice of the action to those persons who would have received notice of a hearing before the planning commission had the application been for a conditional use permit under Article III of Chapter 17.70. Such notice shall specify that any interested person, other than the applicant, may appeal the action

of the planning director in the manner provided by Chapter 17.86.

B. For special events determined by the planning director to require city council review, a noticed public hearing shall be held by the city council. Not less than twenty-one days prior to the hearing, the council shall give notice thereof by mail to all property owners within three hundred feet of the proposed special event site. The notice shall include a description of the proposed use and its location, and the date, hour and place of the hearing. At the conclusion of the hearing, the city council shall grant, grant with conditions, or deny the application. The decisions of the city council shall be in writing, setting forth the findings of facts supporting the decision, and shall be served on the applicant within ten days. (Ord. 688 § 3 (part), 1993).

17.63.080 Findings.

The decision to grant a special event permit shall be based on a finding by the decision-making body that the establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the city. (Ord. 688 § 3 (part), 1993).

17.63.090 Conditions.

The decision-making body may condition the granting of a special event permit, as necessary, to protect the public health and safety and to effect the purpose of this title. Such conditions may include but are not limited to the following:

- A. Regulation of the placement of the use or equipment associated with the special event;
- B. Regulation of the height of equipment associated with the special event;
- C. Regulation of the nature, hours of operation, or extent of the special event;
- D. Noise attenuation measures;
- E. Expiration date;
- F. Liability insurance;

G. Bonding;

H. Cleaning deposit. (Ord. 688 § 3 (part), 1993).

17.63.100 Revocation and modification.

The provisions of Sections 17.70.070, 17.70.080, 17.70.090 and 17.70.100 of this title relating to the expiration for failure to exercise the permit, revocation and modification, and new applications, shall apply to special event permits. (Ord. 688 § 3 (part), 1993).

17.63.110 Permit denial—Appeal procedure.

Any person aggrieved by an action of the planning director may appeal the action directly to the city council. All other provisions of Chapter 17.86 shall govern the appeal of a decision or special event permit. (Ord. 688 § 3 (part), 1993).

Chapter 17.64

SPECIAL AND PROHIBITED USES

Sections:

17.64.010 Special uses—Designated.

17.64.020 Special uses—Use permit—Criteria.

17.64.030 Prohibited uses.

17.64.010 Special uses—Designated.

Special uses are as follows:

- A. Airport and landing fields;
- B. Cemeteries;
- C. Establishment of enterprises involving large assemblies of people or automobiles on a permanent basis, including:
 - 1. Amusement parks and race tracks;
 - 2. Recreational facilities privately operated;
- D. Hospitals, sanitariums;
- E. Institutions of charitable nature;
- F. Removal or deposit of earth other than in connection with construction of buildings, roadways, or home or public improvements on the site. (Ord. 688 § 2, 1993; Ord. 336 § 7.01.010, 1977).

**17.64.020 Special uses—Use permit—
Criteria.**

A. All of the uses listed in Section 17.64.010 and all matters directly related thereto, are declared to be uses possessing characteristics of such unique and special form as to make impractical their inclusion in any class of use set forth in the zones defined in this title. Therefore, the authority for the location or the operation of any of the uses designated in this chapter shall be subject to the issuance of a use permit in accordance with the provisions of Chapter 17.70.

B. In addition to the criteria set forth in Chapter 17.70 for determining whether or not a conditional use permit should be issued, the hearing body shall consider the following additional factors in determining whether the uses listed in this chapter will be incompatible with other uses permitted in the zone and surrounding areas. Such factors are:

1. Damage or nuisance from noise, smoke, odor, dust, vibrations or water pollution;
2. Hazard from explosion, contamination or fire;
3. Hazard occasioned by unusual volume or character of traffic, or the congregating of a large number of people or vehicles. (Ord. 581 § 37, 1988; Ord. 336 § 7.01.000, 1977).

17.64.030 Prohibited uses.

The following uses are prohibited in all zones, and no conditional use permit shall be issued therefor:

- A. Kennel;
- B. Junkyard;
- C. Refuse disposal site;
- D. Medical marijuana dispensary. (Ord. 890 § 3, 2004; Ord. 889 § 3, 2004; Ord. 568 § 2, 1987; Ord. 336 § 7.01.020, 1977).